

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MARSDEN, et al.</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	<b>NO. 14-4340</b>
<b>SHIRAKAWA, et al.</b>	:	

**ORDER**

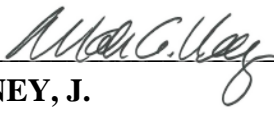
**AND NOW**, this 23<sup>rd</sup> day of June 2015, upon consideration of Defendants' Motion for Summary Judgment (ECF Doc. Nos. 23 and 25); Defendants' Statement of Undisputed Material Facts (ECF Doc. Nos. 24 and 26) Plaintiffs' Opposition, including response to Defendants' Statement of Undisputed Material Facts and Counterstatement of Material Facts, and Plaintiff's Appendix (ECF Doc. Nos. 29, 29-1 through 29-8, 31, 31-1 through 31-9, 33, 33-1 through 33-7, 37 and 37-1); Defendants' Reply (ECF Doc. Nos. 34) and Defendants' response to Plaintiff's Counterstatement of Material Facts (ECF Doc. No. 35), and as detailed in the accompanying Memorandum, it is **ORDERED** Defendants' Motion (ECF Doc. Nos. 23 and 25) is **GRANTED in part and DENIED in part**:

1. Defendants' Motion is **GRANTED** as to any claim for age discrimination or hostile work environment alleged in Counts I and III and these claims are **DISMISSED**;

2. Defendants' Motion is **DENIED** as to Plaintiff Dennis Marsden's claim for retaliation in terminating his employment on February 15, 2013 as alleged in Counts II and III;

3. Count IV, and claims in Count III against individual Defendants Hertneky, Ricciutti, Zdobinski, Robertson, and Rossello are **DISMISSED** as withdrawn by Plaintiffs (ECF Doc. No. 10); and,

4. Any claims against unnamed John Does have been abandoned and are  
**DISMISSED.**

  
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**KEARNEY, J.**